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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,577	03/22/2004	Dong-lei Wang	CACIP.00001	2217
22858	7590	04/01/2005	EXAMINER	
CARSTENS YEE & CAHOON, LLP			PELHAM, JOSEPH MOORE	
P O BOX 802334			ART UNIT	
DALLAS, TX 75380			PAPER NUMBER	
			3742	
DATE MAILED: 04/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

8W

**Office Action Summary**

Application No.

10/806,577

Applicant(s)

WANG, DONG-LEI

Examiner

Joseph M Pelham

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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***Claim Rejections - 35 USC § 102***

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. 5400700 (US'700).

Referring to Figs. 1-3 and col. 2, lines 8-55, US'700 discloses a cooker with outer shell 3, cooker bowl 1, and "interlaid backstops" 5 therebetween so as to maintain a "air gap."

Claims 1, 3, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. 6262398 (US'398).

Referring to Fig. 1 and col. 2, lines 2-16, US'700 discloses a cooker with outer shell 12, cooker bowl 14, a plurality of "interlaid backstops" 21 mounted therebetween on the outer shell so as to maintain a "air gap," and the bowl rim resting on the "backstops."

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. 6002111 (US'111).

Referring to Fig. 1 and col. 3, lines 3-37, US'700 discloses a cooker with outer shell 2, cooker bowl 7, a "ring" shaped "interlaid backstop" 4 mounted therebetween on the outer shell so as to maintain a "air gap," and the bowl rim resting on the "backstop."

***Claim Rejections - 35 USC § 103***

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US'111.

The claim differs from US'111 only in calling for integrating the backstop and shell by "twice molding." However, such does not patentably distinguish the claimed invention from the prior art. It would have been obvious to so form the shell/backstop assembly since it has long been a conventional manner of economically constructing a composite of separate plastic components.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US'398.

The claim differs from US'398 only in calling for integrating the backstop and shell by "twice molding." However, as discussed immediately above, it would have been obvious to so form the shell/backstop assembly since it has long been a conventional manner of economically constructing a composite of separate plastic components.

***Allowable Subject Matter***

Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph M Pelham whose telephone number is 571-272-4786. The examiner can normally be reached on M-F 7:30 AM to 4:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/23/05

A handwritten signature in black ink, appearing to read 'Pelham', written over a horizontal line.

JOSEPH PELHAM  
PRIMARY EXAMINER